

## **REMARKS**

**[0003]** Applicant respectfully requests entry of the following remarks and reconsideration of the subject application. Applicant respectfully requests entry of the amendments herein. The remarks and amendments should be entered under 37 C.F.R. §1.116 as they place the application in better form for appeal, or for resolution on the merits.

**[0004]** Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-27 and 29-36 are presently pending. Claims amended herein are 1, 5-7, 10, 14-22, 24-26, 29, and 31-32. Claims withdrawn or cancelled herein are claims 4, 8-9, 11-13, 23, 27-28, 30, and 33-36. New claims added herein are none.

### **Statement of Substance of Interview**

**[0005]** The Examiner graciously talked with me—the undersigned representative for the Applicant—on January 14, 2007. Applicant greatly appreciates the Examiner's willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

**[0006]** During the interview, I discussed how the claims differed from the cited art, namely the specification of the present application. Without conceding the propriety of the rejections and in the interest of expediting prosecution, I also proposed several possible clarifying amendments.

**[0007]** I understood the Examiner to tentatively agree that the independent claims would be patentable over the cited art if amended as discussed during the interview. However, the Examiner indicated that he would need to review the proposed amendments more carefully to insure that the claims claimed statutory subject matter, and requested that the proposed amendments be presented in writing.

**[0008]** Applicant herein amends the claims in the manner discussed during the interview. Accordingly, Applicant submits that the pending claims are allowable over the cited art of record for at least the reasons discussed during the interview.

#### **Formal Request for an Interview**

**[0009]** If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

**[0010]** Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

## **Substantive Matters**

### **Claim Rejections under § 101**

[0011] Claims 1-27 and 29-36 have been rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Specifically, the Examiner has objected to these claims for failing to produce a practical application or a useful, concrete and tangible result. In light of the amendments presented herein, Applicant respectfully submits that these claims comply with the patentability requirements of § 101 and that the § 101 rejections should be withdrawn. The Applicant further asserts that these claims are allowable. Accordingly, Applicant asks the Examiner to withdraw these rejections.

### **Claim Rejections under §§ 102 and/or 103**

[0012] Claims 1-3, 8-10, 20-22, 27, 29 and 34-36 have been rejected under 35 U.S.C. § 102(a) as being anticipated by applicant's background. Dependent claims 4, 23, and 30 were previously indicated to be allowable. Applicant proposes amending independent claims 1, 10, 20, and 29 to include the subject matter indicated to be allowable. Applicant further proposes canceling claims 4, 8-9, 11-13, 23, 27-28, 30, and 33-36 to remove claims claiming duplicative material. As such, Applicant proposes that each of the independent claims is now in proper form for immediate allowance.

## **Dependent Claims**

**[0013]** In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

## **Conclusion**

**[0014]** All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call/email me or my assistant at your convenience.

Dated: 2008.01.14

Respectfully Submitted,

By: 

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